

REMARKS/ARGUMENTS

I. STATUS OF THE CLAIMS

With entry of the amendment, claims 81 and 84 are canceled, and claims 80 and 82 are amended. Claims 80 and 82-83 are pending. No new matter is added with this amendment.

II. AMENDMENT TO SPECIFICATION

1. Amendment to Title

The Examiner alleges that the title of the invention is not descriptive. The Applicants disagree, but in an effort to expedite prosecution of the application, the Applicants have submitted a new title that is more clearly descriptive of the invention to which the claims are directed.

2. Amendment to Abstract

The Examiner objects to the abstract as not being commensurate in scope with the elected invention. The Applicants have submitted a new abstract that is commensurate in scope with the elected invention.

III. CLAIM OBJECTIONS

The Examiner has objected to claim 80 as containing a backslash "\" which has been corrected in claim 80 as currently amended.

IV. 35 U.S.C. 112 FIRST PARAGRAPH

The Examiner has rejected claims 80, 82, and 83 as failing to comply with the written description requirement. Specifically, the Examiner alleges that the claims are drawn to an isolated nucleic acid molecule comprising an ANT promoter sequence that is at least 80% identical to SEQ ID NO:3, including a sequence further comprising a heterologous polynucleotide operably linked to the ANT promoter sequence.

Appl. No. 10/623,477
Amdt. dated October 12, 2006
Reply to Office Action of May 12, 2006

PATENT

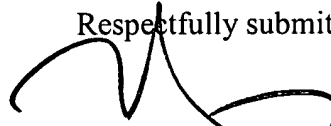
The Applicants, in order to expedite prosecution of the application, have limited the scope of the claims to promoters as shown in SEQ ID NO. 3. In light of the claims as currently recited, the Applicants respectfully request withdrawal of the rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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